

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 9 NATURAL AREA RESERVES SYSTEM

CHAPTER 209

RULES REGULATING ACTIVITIES WITHIN NATURAL AREA RESERVES

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Historical Note: Chapter 209 of Title 13, Administrative Rules, is based substantially upon Regulation 10 of the Administration of the Department of Land and Natural Resources entitled "Regulating and Prohibiting Activities within Natural Area Reserves Including Provisions for Excepted-Use Activities by Permit and Penalties for Violation of the Regulation". [Eff. 5/20/79;

R JUN 29 1981 ]

Sec. 13-209-1 Purpose and applicability. (a) The purpose of these rules is to regulate activity within natural area reserves established pursuant to section 195-4, Hawaii Revised Statutes.

(b) These rules shall apply to all persons entering the boundaries of a natural area reserve. [Eff. JUN 29 1981 ]  
(Auth: HRS Sec. 195-5) (Imp: HRS Sec. 195-5)

Sec. 13-209-2 Definitions. As used in these rules, unless context requires otherwise:

"Board" means the board of land and natural resources.

"Commission" means the natural area reserves system commission.

"Department" means the department of land and natural resources.

"Game mammals and birds" means those animals that have been designated as such by sections 191-8 and 191-19, Hawaii Revised Statutes, and by administrative rules of the department.

"Natural area reserve" means those State lands that have been designated as part of the Hawaii natural area reserves system by the department pursuant to section 195-4, Hawaii Revised Statutes. [Eff. JUN 29 1981 ] (Auth: HRS Sec. 195-5) (Imp: HRS Sec. 195-5)

Sec. 13-209-3 Permitted activities. Hiking, nature study, and bedroll camping without a tent or other temporary structure are permitted. Hunting is a permitted activity pursuant to hunting

rules of the department. [Eff. JUN 25 1981 ] (Auth: HRS Sec. 195-5) (Imp: HRS Sec. 195-5)

Sec. 13-209-4 Prohibited activities. The following activities are prohibited within a natural area reserve:

- (1) To remove, injure, or kill any form of plant or animal life, except game mammals and birds hunted according to department rules;
- (2) To introduce any form of plant or animal life, except dogs when permitted by hunting rules of the department;
- (3) To remove, damage, or disturb any geological or paleontological feature or substance;
- (4) To remove, damage, or disturb any historic or prehistoric remains;
- (5) To remove, damage, or disturb any notice, marker, or structure;
- (6) To engage in any construction or improvement;
- (7) To engage in any camping activity that involves the erecting of a tent or other temporary structure;
- (8) To start or maintain a fire;
- (9) To litter, or to deposit refuse or any other substance;
- (10) To operate any motorized or unmotorized land vehicle or air conveyance of any shape or form in any area, including roads or trails, not designated for its use;
- (11) To operate any motorized water vehicle of any shape or form in freshwater environments, including bogs, ponds, and streams, or marine waters, except as otherwise provided in the boating rules of the department of transportation, State of Hawaii;
- (12) To enter into, place any vessel or material in or on, or otherwise disturb a lake or pond. [Eff. JUN 29 1981 ] (Auth: HRS Sec. 195-5) (Imp: HRS Sec. 195-5)

Sec. 13-209-5 Special-use permits. (a) The board or its authorized representative, with the approval of the commission, may issue permits to conduct activities otherwise prohibited by section 13-209-4 for research, education, management, or for any other purpose consistent with chapter 195, Hawaii Revised Statutes.

(b) The board or the commission may require a permit application to include an assessment of the potential environmental effect the special-use may have on the area concerned.

(c) The provisions of this section shall not exempt the applicant from complying with any other applicable rule or statute. [Eff. JUN 25 1981 ] (Auth: HRS Sec. 195-5) (Imp: HRS Sec. 195-5)

Sec. 13-209-6 Penalty. Any person violating any of the provisions of these rules shall be penalized as provided in section 195-8, Hawaii Revised Statutes. [Eff. JUN 25 1981 ] (Auth: HRS Sec. 195-5) (Imp: HRS Sec. 195-8)